

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on February 6, 2009
at 8:03 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Pat Ingraham (R)
Rep. Sue Malek (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: Rep. Gordon R. Hendrick (R)

Members Absent: Rep. Tony Belcourt (D)
Rep. Betsy Hands (D)
Rep. Gary MacLaren (R)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 389, HB 398, 1/30/2009; SB 123,
SB 219, 2/2/2009

Executive Action: HB 83, HB 274, HB 277

HEARING ON SB 123

Opening Statement by Sponsor:

00:02:22 Sen. Carolyn Squires (D), SD 48, opened the hearing on
SB 123, Revise MAPA regarding amendment of rationale.
00:02:25 Rep. MacLaren entered the room.

Proponents' Testimony: None

Opponents' Testimony:

00:06:54 Ann Brodsky, Legal Counsel, Governor Schweitzer
00:15:06 Mark Cadwallader, Staff Attorney, Montana Department of
Labor and Industry
00:16:53 Rep. Belcourt entered the room.
00:18:42 Candace West, Chief Counsel, Department of Natural
Resources and Conservation

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:14 Rep. Wilmer
00:21:49 Ms. Brodsky
00:24:38 Rep. Wilmer
00:25:08 Ms. Brodsky
00:25:28 Rep. Brown
00:26:06 Sen. Squires
00:27:05 Rep. Brown
00:27:21 Sen. Squires
00:27:46 Rep. Dickenson
00:28:28 Mr. Cadwallader
00:30:38 Rep. Dickenson
00:31:13 Mr. Cadwallader
00:31:45 Rep. Bean
00:32:21 Ms. Brodsky
00:32:29 Rep. MacLaren
00:32:53 Sen. Squires
00:33:42 Rep. Wilmer
00:34:42 Ms. West
00:36:20 Chairman Himmelberger

Closing by Sponsor:

00:36:25 Sen. Squires
00:38:03 Chairman Himmelberger

HEARING ON SB 219

Opening Statement by Sponsor:

00:38:26 Sen. Carolyn Squires (D), SD 48, opened the hearing on
SB 219, Revise time for calculating adjusted campaign
contribution limits.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:40:59 Mary Baker, Program Supervisor, Political Practices,
Commissioner's Office

Questions from Committee Members and Responses:

00:41:50 Rep. O'Hara
00:42:49 Chairman Himmelberger

Closing by Sponsor:

00:42:51 Sen. Squires
00:43:32 Chairman Himmelberger

HEARING ON HB 398

Opening Statement by Sponsor:

00:44:10 Rep. Janna Taylor (R), HD 11, opened the hearing on HB
398, Increase authority of commissioner of political
practices.
00:46:52 Chairman Himmelberger
00:47:15 Rep. Taylor
00:47:25 Chairman Himmelberger

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:47:55 Ms. Baker

Questions from Committee Members and Responses:

00:50:40 Rep. Dickenson
00:51:17 Ms. Baker
00:51:44 Rep. Brown
00:52:28 Ms. Baker
00:52:42 Rep. Brown
00:52:47 Ms. Baker
00:52:56 Chairman Himmelberger
00:53:00 Rep. Brown
00:53:07 Rep. Wilmer
00:53:48 Ms. Baker
00:54:44 Rep. Boniek
00:55:00 Ms. Baker
00:55:40 Rep. Washburn
00:56:13 Ms. Baker
00:56:24 Dennis Unsworth, Commissioner, Political Practices
00:58:09 Rep. Belcourt
00:58:38 Ms. Baker
00:59:21 Rep. MacLaren
00:59:47 Rep. Van Dyk entered the room.
00:59:55 Mr. Unsworth
01:01:10 Rep. MacLaren
01:01:24 Rep. Taylor
01:01:30 Chairman Himmelberger

Closing by Sponsor:

01:01:34 Rep. Taylor
01:02:45 Chairman Himmelberger

HEARING ON HB 389

Opening Statement by Sponsor:

01:03:02 Rep. Janna Taylor (R), HD 11, opened the hearing on HB 389, Qualifications for exempt employees in office economic development.

EXHIBIT(sth28a01)

Proponents' Testimony: None

Opponents' Testimony:

01:09:01 Hal Harper, Governor's Office
EXHIBIT(sth28a02)

Informational Testimony: None

Questions from Committee Members and Responses:

01:14:31 Rep. Van Dyke
01:14:40 Rep. Taylor
01:15:03 Rep. Brown
01:15:28 Rep. Taylor
01:16:36 Chairman Himmelberger
01:16:51 Rep. Taylor
01:17:30 Chairman Himmelberger
01:18:01 Mr. Harper
01:18:46 Chairman Himmelberger
01:18:54 Rep. Caferro
01:19:22 Rep. Taylor
01:19:50 Rep. Wilmer
01:20:24 Rep. Taylor
01:24:03 Rep. Malek
01:25:14 Rep. Taylor
01:27:12 Chairman Himmelberger

Closing by Sponsor:

01:27:18 Rep. Taylor
01:27:53 Chairman Himmelberger
01:29:04 Recess.
01:50:18 Reconvene. Rep. Hendrick is not present after the break.

EXECUTIVE ACTION ON HB 83

01:50:28 **Motion:** Rep. Dickenson moved that **HB 83 DO PASS.**

Discussion:

01:50:32 Chairman Himmelberger
01:50:37 Rep. Dickenson
01:51:26 Rep. Brown
01:52:19 Rep. Wilmer
01:53:12 Rep. Ingraham

01:53:28 **Motion:** Rep. Dickenson moved that **HB 83 BE AMENDED.**
EXHIBIT(sth28a03)

Discussion:

01:53:35 Chairman Himmelberger
01:53:45 Rep. Dickenson
01:53:50 Chairman Himmelberger
01:54:07 Rep. Dickenson
01:54:29 Ms. Heffelfinger, Legislative Services Division
01:54:52 Rep. Brown
01:55:04 Rep. Dickenson
01:55:10 Rep. Brown
01:55:27 Chairman Himmelberger
01:56:01 Rep. Wilmer
01:56:07 Chairman Himmelberger
01:56:13 Ms. Heffelfinger
01:56:45 Rep. Wilmer
01:57:05 Chairman Himmelberger

01:57:09 **Vote:** Motion carried 16-2 by voice vote with Rep. Boniek and Rep. MacLaren voting no. Rep. Hendrick voted by proxy.

01:57:42 **Motion:** Rep. Dickenson moved that **HB 83 DO PASS AS AMENDED.**

Discussion:

01:57:46 Chairman Himmelberger
01:57:56 Rep. Bean

01:58:16 **Vote:** Motion failed 15-3 by voice vote with Rep. Boss Ribs, Rep. Brown, and Rep. Dickenson voting aye. Rep. Hendrick voted by proxy.

01:59:00 **Motion/Vote:** Rep. MacLaren moved that **HB 83 BE TABLED.** Motion carried unanimously by voice vote. Rep. Hendrick voted by proxy.

01:59:23 Chairman Himmelberger

EXECUTIVE ACTION ON HB 274

01:59:30 **Motion:** Rep. Brown moved that **HB 274 DO PASS.**

01:59:35 Chairman Himmelberger
01:59:53 Rep. Caferro
02:02:13 Rep. Phillips
02:02:46 Rep. Brown
02:04:05 Rep. Hands
02:06:33 Rep. Wilmer

02:07:27 Rep. Dickenson

02:09:17 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. O'Hara, and Rep. Washburn voting no. Rep. Hendrick voted no by proxy.

02:10:25 Chairman Himmelberger

EXECUTIVE ACTION ON HB 277

02:11:05 **Motion:** Rep. Ingraham moved that **HB 277 DO PASS.**

Discussion:

02:11:10 Chairman Himmelberger

02:11:21 Rep. Brown

02:11:22 Rep. Hendrick entered the room

02:12:11 Rep. MacLaren

02:12:42 **Vote:** Motion failed unanimously by voice vote.

02:13:08 **Motion/Vote:** Rep. Van Dyk moved that **HB 277 BE TABLED.** Motion carried unanimously by voice vote.

02:13:34 Chairman Himmelberger

ADJOURNMENT

02:13:40 Adjournment: 10:16 a.m.

Marshall McEwen, Secretary

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Additional Documents:

EXHIBIT ([sth28aad.pdf](#))